

1 The Honorable John C. Coughenour  
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7 **IN THE UNITED STATES DISTRICT COURT**  
8 **WESTERN DISTRICT OF WASHINGTON**  
9 **AT SEATTLE**

10 BAROVIC v. BALLMER, ET AL.

11 Lead Case No. 2:14-cv-00540-JCC

12 (Consolidated with Case No. 2:14-cv-  
13 00586-JCC)

14 This Document Relates To:

15 ALL ACTIONS

16 **STIPULATION AND [PROPOSED]**  
17 **ORDER CONTINUING SEPTEMBER**  
18 **24, 2015 HEARING ON MICROSOFT**  
19 **CORPORATION'S MOTION FOR**  
20 **SUMMARY JUDGMENT**

21 **STIPULATION**

22 **THE PARTIES STIPULATE AND AGREE AS FOLLOWS:**

23 The Court scheduled a hearing for September 24, 2015, at 10 a.m. (Dkt. No. 89) on  
24 Microsoft Corporation's motion for summary judgment (Dkt. No. 49) in the above-referenced  
25 action (the "Action");

26 Plaintiffs, Nominal Defendant Microsoft Corporation and the Individual Defendants  
27 (collectively the "Defendants") believe they have reached agreement on the core terms of a  
28 settlement of this Action;

29 Plaintiffs and Defendants have agreed to continue the hearing on Microsoft's motion for  
30 summary judgment for thirty (30) days so that the parties can fully document a settlement  
31 agreement;

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1 Plaintiffs and Defendants have agreed to file with the Court a Stipulation of Settlement or  
2 a status update of this Action by October 15, 2015;

3 Accordingly, subject to the Court's approval, it is STIPULATED between Plaintiffs and  
4 Defendants that the hearing on Microsoft Corporation's motion for summary judgment scheduled  
5 for September 24, 2015 may be continued for thirty (30) days to a date as set by the Court.  
6 Plaintiffs and Defendants further agree to provide the Court with a status update or file with the  
7 Court a Stipulation of Settlement of this Action by October 15, 2015.

8  
9 IT IS SO STIPULATED.

10  
11 DATED this 22<sup>nd</sup> day of September, 2015.

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STIPULATION AND [PROPOSED] ORDER  
CONTINUING SEPTEMBER 24, 2015  
HEARING - 2  
2:14-cv-00540-JCC / 2:14-cv-00586-JCC

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## [PROPOSED] ORDER

PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED.

The Court, having considered the above stipulation of the parties, and good cause appearing therefore, HEREBY ORDERS THAT the hearing on Microsoft Corporation's motion for summary judgment scheduled for September 24, 2015 be continued for thirty (30) days. The Clerk of the Court shall set a new date for hearing consistent with this Order. The Court HEREBY FURTHER ORDERS THAT the parties will either provide a status update or file a Stipulation of Settlement of this Action by October 15, 2015.

DATED: \_\_\_\_\_

JOHN C. COUGHENOUR  
United States District Court Judge